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09/896,385	06/29/2001	Joubert Berger	10013499-1	9535

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EXAMINER	
TANG, KENNETH	

ART UNIT	PAPER NUMBER
2195	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/896,385	BERGER ET AL.	
	Examiner	Art Unit	
	Kenneth Tang	2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/28/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the Amendment filed on 1/10/05. Applicant's arguments have been fully considered but they are now moot in view of the new grounds of rejections.

2. Claims 1-24 are presented for examination.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 10 is rejected under 35 U.S.C. 101 as non-statutory because the system is intangible.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 10-18 and 20-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention:

a. Claim 10 is rejected as being indefinite because it is not made explicitly clear in the claim language whether this is a system claim or a means plus function claim.

b. In claim 20, the terms "at least one process can be associated with said at least one compartment and said at least one compartment defines accessibility of resources for

said at least one process" and "at least one command-line utility executable to manipulate said at least one compartment" are indefinite because it is not made explicitly clear in the claim language whether there is one process associated with one compartment (or more), and so on. It is not made clear which process is associated with which compartment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3, and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Stoecker et al. (hereinafter Stoecker) (US 5,850,511).

6. As to claim 1, Stoecker teaches a method of administering a processor-based system, said method comprising the steps of:

implementing at least one compartment for containment (containment tree) at least one process executable on said processor-based system *(col. 5, lines 13-28, etc.)*; and

providing, by said processor-based system, at least one operating system command-line (command line) utility executable to manipulate (by building) said at least one compartment (containment) *(claim 2 and col. 28, lines 50-67, etc.)*.

7. As to claim 3, Stoecker teaches wherein said at least one process is labeled to identify the compartment in which it is contained *(col. 2, lines 11-18)*.

8. As to claim 5, Stoecker teaches defining said at least one compartment in at least one configuration file (specification file) *(col. 5, lines 63-67)*.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. **Claims 2 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoecker et al. (hereinafter Stoecker) (US 5,850,511) in view of Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1).**

10. As to claim 2, Stoecker fails to explicitly teach wherein said at least one compartment defines whether said at least one process contained therein is allowed access to particular system resources. However, Hyndman teaches storing access control data pertinent to components including all resources accessible to the building blocks *(see Abstract)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of at least one compartment defines whether said at least one process contained therein is

allowed access to particular system resources in order to increase the security by obtaining the information needed to allow access to the users that have the rights or privileges *(see Abstract)*.

11. As to claim 7, Stoecker fails to explicitly teach wherein said implementing step comprises providing at least one rule that defines containment of said at least one compartment in at least one configuration file. However, Hyndman teaches a rule-based system for containment (access control) for compartments (building blocks or components) *(col. 1, lines 34-46, col. 2, lines 26-30, see Abstract)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of providing at least one rule that defines containment of said at least one compartment in at least one configuration file to the existing system of Stoecker in order to increase the security by providing access control and privileges *(col. 2, lines 26-30 and Abstract)*.

12. As to claim 8, it is rejected for the same reasons as stated in the rejections of claims 1 and 7.

13. As to claim 9, Hyndman teaches adding a new rule for a particular component, removing an existing rule for a particular component with the use of privileges and the administrator has the listing of all the rules *(col. 2, lines 26-30 and Abstract)*.

14. **Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stoecker et al. (hereinafter Stoecker) (US 5,850,511) in view of Thalhammer-Reyero (US 5,930,154).**

15. As to claim 4, Stoecker fails to explicitly teach adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment. However, Thalhammer-Reyero teaches adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment *(col. 5, lines 39-47, col. 13, lines 10-15, col. 19, lines 60-67 through col. 20, lines 1-4, col. 27, lines 5-13, col. 30, lines 19-20, and col. 40, lines 3-13)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment to the existing system of Stoecker in order to increase the control by allowing adjustments of compartments.

16. **Claims 6, 10, 12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoecker et al. (hereinafter Stoecker) (US 5,850,511) in view of Tate et al. (hereinafter Tate) (US 6,493,751 B1).**

17. As to claim 6, Stoecker teaches command-line utilities to manipulate compartments but fails to explicitly teach manipulating without requiring a user to edit a configuration file. However, Tate teaches manipulating without requiring the actual inputting and on-screen editing of the configuration files by the user *(col. 4, lines 6-11)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of manipulating without requiring a user to edit a configuration file to the existing containment system because this makes the process simpler for the user *(col. 3, lines 45-58)*.

18. As to claim 10, Stoecker teaches a system comprising:

an operating system implementing at least one compartment (containment tree) to which at least one process executable on said system can be associated *(col. 5, lines 13-28, etc.)*;

at least one configuration file defining said at least one compartment (specification file) *(col. 5, lines 63-67, etc.)*; and

Stoecker teaches command-line utilities to manage and manipulate compartments but fails to explicitly teach manipulating without requiring a user to edit a configuration file. However, Tate teaches manipulating without requiring the actual inputting and on-screen editing of the configuration files by the user *(col. 4, lines 6-11)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of manipulating without requiring a user to edit a configuration file to the existing containment system because this makes the process simpler for the user *(col. 3, lines 45-58)*.

19. As to claim 12, Stoecker teaches wherein said performing management of said at least one compartment comprises manipulating said at least one compartment *(col. 1, line 39)*.

20. As to claim 19, it is rejected for the same reasons as stated in the rejection of claim 10. In addition, Stoecker teaches an operating system command-line utility for the management/manipulation *(claim 2 and col. 28, lines 50-67, etc.)*.

21. **Claims 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoecker et al. (hereinafter Stoecker) (US 5,850,511) in view of Tate et al. (hereinafter Tate) (US 6,493,751 B1), and further in view of Fletcher et al. (hereinafter Fletcher) (US 6,009,274).**

22. As to claim 11, Stoecker and Tate fail to explicitly teach wherein said means for performing management of said at least one compartment further enables management actions initiated via said means for performing management to be performed dynamically, without requiring that the system be re-booted in order for said management actions to be effective within said system. However, Fletcher teaches an agent that manages components (compartments) dynamically, without having to actually reboot the system *(col. 9, lines 3-16)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of wherein said means for performing management of said at least one compartment further enables management actions initiated via said means for performing

management to be performed dynamically, without requiring that the system be re-booted in order for said management actions to be effective within said system to the existing system of Stoecker and Tate in order to increase the convenience and practicality *(col. 9, lines 3-16)*.

23. As to claim 14, it is rejected for the same reasons as stated in the rejection of claim 11.

24. **Claims 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoecker et al. (hereinafter Stoecker) (US 5,850,511) in view of Tate et al. (hereinafter Tate) (US 6,493,751 B1), and further in view of Thalhammer-Reyero (US 5,930,154).**

25. As to claim 13, Stoecker and Tate fail to explicitly teach adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment. However, Thalhammer-Reyero teaches adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment *(col. 5, lines 39-47, col. 13, lines 10-15, col. 19, lines 60-67 through col. 20, lines 1-4, col. 27, lines 5-13, col. 30, lines 19-20, and col. 40, lines 3-13)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment to the existing

system of Stoecker and Tate in order to increase the control by allowing adjustments of compartments.

26. As to claim 15, Stoecker and Tate fails to explicitly teach wherein said performing management of said at least one compartment comprises switching from a first compartment to a second compartment. However, Thalhammer-Reyero teaches switching compartments using a graphical user interface *(col. 2, lines 1-16, col. 5, lines 39-47, col. 13, lines 10-15, col. 19, lines 60-67 through col. 20, lines 1-4, col. 27, lines 5-13, col. 30, lines 19-20, and col. 40, lines 3-13)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of a graphical user interface that provides for switching from one compartment to another compartment to the existing compartment/containment system of Stoecker and Tate because this would increase the control by allowing to retrieve other compartments *(col. 2, lines 1-16)*.

27. **Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoecker et al. (hereinafter Stoecker) (US 5,850,511) in view of Tate et al. (hereinafter Tate) (US 6,493,751 B1), and further in view of Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1).**

28. As to claim 16, Stoecker and Tate fails to explicitly teach at least one configuration file including at least one rule defining containment of said at least one compartment. However,

Hyndman teaches a rule-based system for containment (access control) for compartments (building blocks or components) *(col. 1, lines 34-46, col. 2, lines 26-30, see Abstract)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of providing at least one rule that defines containment of said at least one compartment in at least one configuration file to the existing system of Stoecker and Tate in order to increase the security by providing access control and privileges *(col. 2, lines 26-30 and Abstract)*.

29. As to claim 17, Hyndman teaches wherein said performing management of said at least one compartment comprises manipulating said at least one rule *(col. 1, lines 56-60 and col. 2, lines 26-37 and Abstract)*.

30. As to claim 18, Hyndman teaches adding a new rule for a particular component, removing an existing rule for a particular component with the use of privileges and the administrator has the listing of all the rules *(col. 2, lines 26-30 and Abstract)*.

31. **Claims 20, 22, and 24 are rejected under 35 U.S.C. 103(a) as being obvious by Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1) in view of Stoecker et al. (hereinafter Stoecker) (US 5,850,511).**

32. As to claim 20, Hyndman teaches a computer-readable medium including instructions executable by a processor, said computer-readable medium comprising:

library (access control library) of software functions for managing at least one compartment (building block or component) implemented by an operating system, wherein at least one process can be associated with said at least one compartment and said at least one compartment defines accessibility of resources for said at least one process associated therewith *(col. 1, lines 34-46 and see Abstract)*; and

said library of software functions includes at least one command-line utility executable to manipulate (editing) said at least one compartment *(see Abstract)*.

33. As stated previously, Hyndman teaches manipulating the compartment with a graphical user interface (GUI). Hyndman fails to explicitly teach having an operating system command-line utility. However, Stoecker teaches having command line utility for a containment tree *(col. 5, lines 51-67, col. 7, lines 29-48, etc.)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of a command line utility for a containment tree to the exisiting containment/compartment system of Hyndman because it would increase the control of the system by providing instructions *(col. 5, lines 51-67, col. 7, lines 29-48, etc.)*.

34. As to claim 22, Stoecker teaches defining said at least one compartment in at least one configuration file (specification file) *(col. 5, lines 63-67)*.

35. As to claim 24, it is rejected for the same reasons as stated in the rejection of claim 20. In addition, Hyndman teaches implementing and manipulating at least one rule *(col. 2, lines 26-29)*.

36. **Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1) in view of Stoecker et al. (hereinafter Stoecker) (US 5,850,511), and further in view of Thalhammer-Reyero (US 5,930,154).**

As to claim 21, Hyndman fails to explicitly teach adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment. However, Thalhammer-Reyero teaches adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment *(col. 5, lines 39-47, col. 13, lines 10-15, col. 19, lines 60-67 through col. 20, lines 1-4, col. 27, lines 5-13, col. 30, lines 19-20, and col. 40, lines 3-13)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of adding a new compartment, renaming an existing compartment, removing an existing compartment, resizing an existing compartment, adding a process to a compartment, and removing a process from a compartment to the existing system in order to increase the control by allowing adjustments of compartments.

37. **Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hyndman et al. (hereinafter Hyndman) (US 6,449,643 B1) in view of Stoecker et al. (hereinafter**

Stoecker) (US 5,850,511), and further in view of Tate et al. (hereinafter Tate) (US 6,493,751 B1).

38. As to claim 23, it is rejected for the same reasons as stated in the rejection of claim 10. However, Hyndman and Stoecker fails to explicitly teach performing manipulation of said at least one compartment without requiring that a user edit said at least one configuration file in which said at least one component is defined. However, Tate teaches manipulating without requiring the actual inputting and on-screen editing of the configuration files by the user *(col. 4, lines 6-11)*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of manipulating without requiring a user to edit a configuration file to the existing containment system because this makes the process simpler for the user *(col. 3, lines 45-58)*.

Response to Arguments

39. Applicant's arguments over prior art have been fully considered but are now moot in view of the new grounds of rejections.

40. Applicant argues the 35 USC 112 2nd paragraph by contending that any compartment can be associated with any process (page 16).

However, the claim language does not explicitly state this. It is not made clear which process is associated with which compartment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (571) 272-3772. The examiner can normally be reached on 8:30AM - 6:00PM, Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kt
3/22/05

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